"The NYPD is a gang"

Outrage grows over use of police "chokehold" in death of New York man

A reporting team
21 July 2014

Amid continuing outrage following the death of a defenseless Staten Island man at the hands of New York City cops last Thursday, it was reported that the chokehold technique used on 43-year-old Eric Garner, while supposedly banned by official police regulations, is in fact more widely used than ever.

Garner, the father of six and grandfather of two, was approached by police who accused him of illegally selling loose cigarettes. Within minutes, as shown on a video posted on Facebook, he was pushed to the ground and placed in a chokehold, constricting his breathing. One officer, later identified as eight-year veteran Daniel Pantaleo, continued to hold Garner around the neck even though the Staten Island man repeatedly cried, "I can't breathe."

Another video, posted on YouTube, shows police casually standing around, making no attempt to assist the unconscious Garner. Paramedics later arrived, but made no attempt to revive the victim, merely loading him into the ambulance. He was pronounced dead shortly after arriving at a Staten Island hospital.

Angry rallies denouncing police brutality were held both in Harlem and on Staten Island on July 19. The shameless conduct of the police stirred outrage among broad sections of working people. Garner's mother, Gwen Carr, is a subway train operator and his sister, Ellisha Flagg, is a bus driver.

Staten Island resident Fred Winship told the WSWS that he knew Eric Garner and witnessed his murder. "It started from another incident. Two guys were getting into it, a black guy and a Mexican. E [Eric] separated them. Then I saw all these cops. The Mexican guy went one way, then the black guy left. They let these guys go by, but one cop came from behind and ran up to E. He jumped on his back with a chokehold. Another put his knee to the back of his leg and took him down.

"They said he died on the way to the hospital, but when he was in the gurney, I saw him lying there with his eyes wide open, and his tongue sticking out. He was probably dead then. It's a tragedy."

In response to the brazen police misconduct and above all because of the graphic video evidence, New York mayor Bill de Blasio and his police commissioner William Bratton held a news conference Friday in an effort at damage control. The mayor claimed he "was very troubled by the video." The police department quickly announced that two of the officers involved in the confrontation with Garner had been reassigned. Pantaleo was placed on desk duty and his gun and badge were taken away, at least temporarily. Another cop, Justin Damico, was also taken off street duty.

The authorities announced that they were still investigating the incident, amid reports that there was no sign of a crushed trachea or other indication that the chokehold was the direct cause of death. Even if an autopsy shows that the cause was a heart attack, however, it was clearly brought on by the police mistreatment.

As for Bratton, he declared that he did not consider chokeholds a widespread problem and that, according to the report in the *New York Times*, it was his "first exposure" to the issue since returning as police commissioner last January.

The city's Civilian Complaint Review Board, however, was forced to contradict the police commissioner the very next day. The Board said it has received 1,022 complaints about the tactic over the last five years, and that the number of complaints has been steadily increasing. According to this report, only nine instances of chokehold use have been substantiated, a figure so low in comparison to the number of complaints as to be

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unbelievable.

Eric Garner, whose serious asthma had forced him to leave a job with the city's Parks Department, had had previous run-ins with the police. Seven years ago he had filed a complaint of police brutality in federal court. More recently he had told a lawyer from the Legal Aid Society that he would be fighting continuing police harassment.

Pantaleo also had a record as far as brutality complaints. According to a report in the *Times*, he has been sued in federal court twice in the past year alone. A plaintiff in one case accused Pantaleo and several others of strip-searching him in public after pulling him over for a broken taillight, before arresting him on charges that were later dismissed.

The chokehold maneuver has a long and notorious history in the New York City Police Department. In 1994 Anthony Baez, 29 years old, lost his life when he angered an officer by intervening on his brother's behalf after a football accidentally hit the officer's police cruiser. Francis Livoti, the officer who used the chokehold against Baez, was acquitted of criminally negligent homicide but convicted of violating Baez's civil rights. He eventually served six and a half years in prison, one of the rare instances where a New York cop has been successfully prosecuted for brutality.

Every year the police department announces yet another drop in the crime rate, and New York trumpets the fact that it is "the safest big city in America." And yet the chokeholds and other forms of police harassment continue and even grow. While the police face pressure to ease up on the notorious stop-and-frisk policy, they find other means of showing that they are in charge, including the petty charge of selling loose cigarettes. As Garner's sister said at the Staten Island rally on Sunday, "A cigarette, are you serious?"

The police harassment is not the fault of a few "bad apples." It is directly connected to the fact that New York City, as everyone knows, is the capital of inequality. The job of the police department is to see that the working class majority, and especially its most impoverished sections, are kept in their place, while the billionaires feel free to flaunt their wealth in their new $100 million highrise Manhattan apartments.

When de Blasio campaigned for mayor in 2013, this supposed "progressive" promised a new era for the city, following 20 years of massive increases in inequality under Giuliani and then Bloomberg. Before he even took office, however, de Blasio was signaling, through the appointments of Bratton and others, that he would be a loyal servant of Wall Street. Bratton's selection was particularly significant, because he first served under Giuliani exactly 20 years ago, and pioneered the use of the hated stop-and-frisk tactic. It did not take long to demonstrate that de Blasio and Bratton represent no change as far as the working class is concerned.

The WSWS spoke to workers in Eric Garner's Staten Island neighborhood of Tompkinsville.

Lisa Wilson, a home health aide, said, "I don't understand it, but it's got to stop. My daughter is 14. She's afraid to go outside now because of the police, she doesn't know if they're going to choke her. It's going on all over. They grabbed an 82-year-old lady and beat her with a night stick. They followed that kid [Ramarley Graham, in the Bronx] into his home and shot him.

"They think they can do what they want because they're cops. They've got a gun and a badge. They don't follow the rules and the regulations. They go through red lights, put kids in danger. Can you imagine if it was the other way around, if it were a cop's kid who got choked out? Any one of us would be indicted the first day.

"We all need to get together and stop this. It's not even a black and white thing. I don't do that anymore. Black, white, Puerto Rican, Chinese, African... we all need stand together and stop them from hurting us. Equal rights for all, that's what it's supposed to be."

Antonio, who has had several run-ins with the same police officer who killed Eric Garner, said, "That could have been me. We're up against this every day. The cops will come by, throw you up against the wall. Imagine every time you walk out onto the street, they harass you. How would you feel? What they're doing now is a violation of Constitutional rights. You know what they're doing now? They stick their fingers in your rectum to check for drugs. The Black Glove Crew, that's what they're called. The NYPD is a gang. There's no difference. They're the biggest criminal gang in the world.

"Those cops are still going to be working. If it's not this precinct then another. It will be like that, a slap on the wrist."

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